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January 8, 2001

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Ms. Martie C. Condray
Senior Assistant General Counsel
Legal Services Corporation
750 First St., NE
Washington, DC 20002-4250

RE: LSC Regulations Review

Dear Ms. Condray:

This letter is in response to the notice published at 65 Fed. Reg. 70540 (Nov. 24, 2000) concerning LSC's review of regulations and invitation to the public to comment.

I urge you to examine two specific regulations, Part 1611 concerning Eligibility, and Part 1626 concerning Alien Representation.

With respect to the Eligibility regulation, part of the difficulty we have stems from the implementation of the regulation by way of LSC's Manuals and other instructions. Documentation requirements have become quite burdensome, and the consequences of error require enormous effort on the part of staff, management, and technology staff to constantly monitor for errors. These requirements have impacted intake and screening procedures and have burdened the development of trusting attorney-client relationships. These documentation requirements are not in the regulation and we are not suggesting they should be; we do urge that there be a review of whether the documentation requirements can be simplified and still result in adequate compliance with the requirements of the regulation. The regulation and implementation policies should be written to enable us to represent the broadest possible range of clients allowed by current law, and they should minimize administrative burdens.

GEORGIA LEGAL SERVICES PROGRAMS, INC.
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Valdosta, Waycross, and Tifton (Migrant Farmworkers Division)
AN AFFIRMATIVE ACTION/EQUAL OPPORTUNITY EMPLOYER M/F/H/V

Letter to Ms. Mattie Condray
January 8, 2001
Page Two

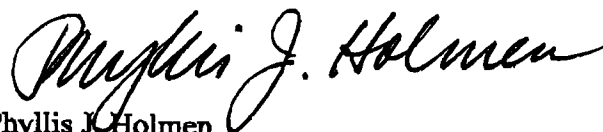
Second, we urge you to specifically review the regulation pertaining to group eligibility (Section 1611.5(c)). The principal issue here relates to the requirement that the group be primarily composed of eligible persons, and that in turn gets back to the documentation issue. The regulation appears to require that we complete financial eligibility forms for every member of, for instance, the board of a community based organization, or of the membership if it is a membership organization. This can be quite burdensome and it acts as a deterrent to representation of community based organizations. We have been building our community economic development practice and have had significant success with organizations that are interested in building affordable housing, operating day care centers, after school programs, or mentoring programs, developing job training or cultural resources in low-income communities, and many other activities. We have no problem with the criterion that requires an inability to obtain other legal counsel, but we would suggest that the financial eligibility criterion be aimed at the community the group intends to benefit by its work.

Third, we suggest you look at simplification of eligibility and documentation requirements for clients who are to be served via a hotline or central screening mechanism, with simple advice and counsel or brief service.

With respect to Part 1626, concerning alien representation, we suggest you clarify the requirements related to documentation of status, to specifically allow that an employee of a recipient may make notes in the file concerning the documentation provided by the alien, rather than being required to make and retain a copy of the document. When intake is done out of the office, staff don't always have access to a copy machine to make copies of status documents. Clients are understandably reluctant to surrender them to the staff person to take back to the office when the client might not get them back for several days (and could need them in the meantime).

We appreciate your interest in our views on the regulations, and look forward to your future work in this area.

Very truly yours,



Phyllis J. Holmen
Executive Director